

S.R. 224 - By Glasgow: Extending welcome to Girl Scout Troops 130 and 131 of Stephenville.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:16 o'clock p.m. adjourned today in memory of Mrs. Steele (Geneva) Wright, Jr., until 11:00 o'clock a.m. tomorrow.

✓ APPENDIX

Signed by Governor
(February 22, 1983)

H.C.R. 39

(February 23, 1983)

H.C.R. 77

(February 24, 1983)

H.C.R. 1

H.C.R. 23

H.C.R. 33

H.C.R. 34

H.C.R. 44

H.C.R. 75

H.C.R. 65

S.C.R. 8

S.C.R. 21

S.B. 213 (Effective immediately)

(February 25, 1983)

H.C.R. 25

H.C.R. 20

H.C.R. 11

H.C.R. 78

Sent to Governor (March 1, 1983)

S.C.R. 26

S.C.R. 34

S.B. 307

TWENTY-EIGHTH DAY

(Wednesday, March 2, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Absent-excused: Washington.

A quorum was announced present.

Dr. Ray Chester, Brentwood Oaks Church of Christ, Austin, offered the invocation as follows:

We thank You, God, that You have blest us with the gift of life: surrounded us with friends; trusted us with responsibility; endowed us with conscience; provided us with all things needful; and set Your love upon us.

We embrace in our prayers today those who live with a sense of running out of what they need: those who are running out of time, their dreams still unfilled; those who are running out of patience, wondering how long they can endure; those who are running out of health, who feel their powers waning day by day; those who are running out of money, fighting growing costs on fixed incomes; those who are running out of excuses, and nearing the time when they must assume the blame for their failures; those who are running out of faith, having borrowed too much and too long from others; those who are running out of love, finding it easier all the time to accuse and criticize and hate.

Give us a lively sense of mission: the ability to choose priorities; the grace to deal creatively with differences; the faith and hope to believe, when doubt and despair seem the easier way. In Christ's Name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Brooks.

CO-AUTHOR OF SENATE JOINT RESOLUTION 22

On motion of Senator Jones and by unanimous consent, Senator Brooks will be shown as Co-author of S.J.R. 22.

CO-AUTHOR OF SENATE BILL 25

On motion of Senator Truan and by unanimous consent, Senator Sharp will be shown as Co-author of S.B. 25.

CO-AUTHOR OF SENATE BILL 185

On motion of Senator Glasgow and by unanimous consent, Senator Uribe will be shown as Co-author of S.B. 185.

CO-AUTHORS OF SENATE BILL 287

On motion of Senator Traeger and by unanimous consent, Senators Sarpalius and Whitmire will be shown as Co-authors of S.B. 287.

CO-AUTHOR OF SENATE BILL 321

On motion of Senator Lyon and by unanimous consent, Senator Glasgow will be shown as Co-author of S.B. 321.

CO-AUTHOR OF SENATE BILL 389

On motion of Senator Whitmire and by unanimous consent, Senator Williams will be shown as Co-author of S.B. 389.

CO-AUTHOR OF SENATE BILL 627

On motion of Senator Glasgow and by unanimous consent, Senator Montford will be shown as Co-author of S.B. 627.

CO-AUTHOR OF SENATE BILL 500

On motion of Senator Harris and by unanimous consent, Senator Sharp will be shown as Co-author of S.B. 500.

CO-AUTHOR OF SENATE BILL 642

On motion of Senator Henderson and by unanimous consent, Senator Glasgow will be shown as Co-author of S.B. 642.

REPORTS OF STANDING COMMITTEES

Senator Blake submitted the following report for the Committee on Administration:

S.C.R. 30
S.C.R. 31
S.C.R. 32
S.C.R. 33
S.C.R. 35

Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

S.B. 121
S.B. 506
C.S.S.B. 508 (Read first time)
C.S.S.B. 499 (Read first time)

Senator Jones submitted the following report for the Committee on Finance:

S.B. 345
S.B. 442
S.B. 589
H.B. 426

Senator Howard, Vice Chairman, submitted the following report for the Committee on Finance:

S.B. 466
S.B. 467

Senator Mauzy submitted the following report for the Committee on Jurisprudence:

S.B. 354 (Amended)
S.B. 470
C.S.S.B. 18 (Read first time)

Senator Parker submitted the following report for the Committee on Education:

C.S.S.B. 25 (Read first time)

Senator Howard submitted the following report for the Subcommittee on Nominations:

We, your Subcommittee on Nominations, to which were referred the attached appointments, have had same under consideration, and beg to report them back to the Senate for final consideration.

To be a Member of THE UNIVERSITY OF TEXAS SYSTEM BOARD OF REGENTS: Sam Barshop, Bexar County.

To be Members of THE TEXAS A&M UNIVERSITY BOARD OF REGENTS: John B. Coleman, M.D., Harris County; David G. Eller, Harris County; Joe Reynolds, Harris County.

To be a Member of the PUBLIC UTILITY COMMISSION: Alan R. Erwin, Harris County.

To be the CANADIAN RIVER COMPACT COMMISSIONER: Robert D. Lemon, Ochiltree County.

To be a Member of the TEXAS COSMETOLOGY COMMISSION: Betty Sue Bird, Brazoria County.

To be Members of the ADVISORY COUNCIL ON YOUTH CAMP SAFETY: B. Michael Adams, Rusk County; Ron Anderson, Kerr County; Raymond B. Bean, Dallas County; Miss Ann Cunningham, Tarrant County; Carl Hawkins, Kerr County; Mrs. Cordie R. Hines, Dallas County; Mrs. Thomas P. Hubbard, Dallas County; Rodney James Kidd, Travis County; Joseph C. Nelson, Collin County; Silas B. Ragsdale, Jr., Kerr County.

To be Members of the BOARD OF DIRECTORS, LOWER COLORADO RIVER AUTHORITY: Morris L. Ellis, San Saba County; Martin E. McLean, Burnet County.

To be Members of the TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS: Sam Collins, Newton County; J. Lynn Futch, Bell County.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

S.B. 633 by Brooks, Edwards, Health and Human Resources
Kothmann, Doggett

Relating to the membership of the Texas Board of Human Resources.

S.B. 634 by Farabee State Affairs
Relating to requiring participation in an alcohol or drug abuse program as a condition of a bond in a criminal case.

S.B. 635 by Brooks, Washington, Health and Human Resources
Vale, Parmer, Doggett, Lyon,

Mauzy, Parker, Sharp,
Whitmire, Truan, Edwards

Relating to the prohibition of certain discrimination against physicians on the basis of academic degree.

S.B. 636 by Farabee Economic Development
Relating to the regulation of real estate brokers and salesmen.

S.B. 637 by Traeger Finance
Relating to the issuance of warrants to persons owing certain delinquent taxes.

S.B. 638 by Traeger Finance
Relating to the application of sales, rental, and use taxes on certain vehicles and machinery used for farm purposes and to the definition of motor vehicle in relation to motor vehicle sales, rental, and use taxes.

- S.B. 639** by Blake State Affairs
Relating to the powers of an electric cooperative corporation.
- S.B. 640** by McFarland Jurisprudence
Relating to credit earned by a prisoner toward reduction of a sentence.
- S.B. 641** by Farabee State Affairs
Relating to the formation and administration of municipally created reinvestment zones that qualify for tax increment financing.
- S.B. 642** by Henderson, Glasgow Economic Development
Relating to the regulation of air conditioning contractors; providing a penalty.
- S.B. 643** by Farabee State Affairs
Relating to the installation and maintenance of community antenna or cable television equipment
- S.B. 644** by Sarpalius Intergovernmental Relations
Relating to establishment of a juvenile board for Dallam County.
- S.B. 645** by Lyon Intergovernmental Relations
Relating to the civil jurisdiction of certain justice courts.
- S.B. 646** by Washington Jurisprudence
Relating to the contents of an appellate record in a criminal case.
- S.B. 647** by Jones Economic Development
Relating to the adoption of rules by the Texas Cosmetology Commission regarding continuing education programs for persons licensed by the commission.
- S.B. 648** by Brown Jurisprudence
Relating to waiver of trial by a jury in a criminal case.
- S.B. 649** by Brown Intergovernmental Relations
Relating to the authority of a city to own, operate, and issue bonds for garbage reclamation projects.
- S.B. 650** by Brown State Affairs
Relating to opening a container or possessing an open container of liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license in certain counties; providing penalties.
- S.B. 651** by Glasgow Jurisprudence
Relating to offenses against public administration and offenses involving the abuse of office or employment, including theft, by a public servant; providing penalties.
- S.B. 652** by Glasgow Education
Relating to certain powers and duties of the board of regents of the Texas Woman's University.
- S.B. 653** by Glasgow Health and Human Resources
Relating to the licensing and regulation of chiropractors.

SENATE RESOLUTION 227

Senator Sharp offered the following resolution:

S.R. 227, Expressing gratitude to Dr. Jerry W. Crabtree, Capitol Physician for the Day.

The resolution was read and was adopted.

GUEST PRESENTED

Senator Sharp was recognized and presented Dr. Crabtree to the Members.

SENATE CONCURRENT RESOLUTION 41

Senator Uribe offered the following resolution:

WHEREAS, The Legislature of the State of Texas wishes to honor a man whose contributions to his community and his state make him worthy of the praise and respect of all men; and

WHEREAS, Mr. Maurice S. Pipkin has maintained the ideals and values for which all honorable men strive; his leadership is an inspiration to all who have the privilege to be associated with him; and

WHEREAS, Born March 2, 1908, in San Antonio, Texas, Mr. Pipkin attended San Antonio public schools; he earned a bachelor of science degree from Texas A&I University and later obtained both a master's degree and an LL.B. degree; and

WHEREAS, During the years he spent as principal of Brownsville High School and Dean of Texas Southmost College, Mr. Pipkin demonstrated his dedication to the development of youth by improving educational standards for all students; and

WHEREAS, Mr. Pipkin was a member of the Wiech, Lewis, and Pipkin law firm until he was elected to the House of Representatives of the State of Texas in 1953; and

WHEREAS, He worked tirelessly and effectively in the House of Representatives, chairing many important committees and serving on the Legislative Budget Board; and

WHEREAS, Following his 14 years as a Member of the Texas Legislature, Mr. Pipkin assumed the duties of Executive Director of the State Commission on Judicial Conduct, an important position which he used to ensure the proper conduct and honesty of all judges in Texas; and

WHEREAS, This fine gentleman is an active member of his community as a member of the Board of Directors of the First National Bank at Brownsville and the Episcopal Church; and

WHEREAS, He has served two terms as president of the Kiwanis Club, as past director of the Chamber of Commerce, and as a past member of the Elks, American Legion, and Propeller Club; and

WHEREAS, Mr. Pipkin is the father of two sons, Eugene and Steven, and is married to the former Theresa Harrison; now, therefore, be it

RESOLVED by the Senate of the State of Texas, the House of Representatives concurring; That the 68th Legislature recognize and commend Mr. Maurice S. Pipkin for the outstanding contributions he has made to the state and its citizens; and, be it further

RESOLVED, That a copy of this resolution be prepared for Mr. Pipkin in his honor as a token of appreciation and esteem from the Texas Legislature.

The resolution was read.

On motion of Senator Uribe and by unanimous consent, the resolution was considered immediately and was adopted.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
March 2, 1983

TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE A MEMBER OF THE FAMILY PRACTICE RESIDENCY ADVISORY COMMITTEE:

For a term to expire August 29, 1985:

DR. EXALTON DELCO

1805 Astor Place

Austin, Texas 78721

(Dr. Delco is replacing Mr. Thomas Bryan Crouch, Sr., of Poteet, Atascosa County, Texas, whose appointment was returned to this Governor.)

Respectfully submitted,

/s/Mark White
Governor of Texas

SENATE BILL 59 REREFERRED

On motion of Senator Leedom and by unanimous consent, **S.B. 59** was withdrawn from the Committee on Jurisprudence and rereferred to the Committee on Health and Human Resources.

NOTICE OF CONSIDERATION OF EXECUTIVE NOMINATIONS

Senator Howard gave notice that he would tomorrow at the conclusion of Morning Call submit to the Senate for consideration Executive nominations to agencies, boards and commissions of the State.

MOTION TO PLACE COMMITTEE SUBSTITUTE SENATE BILL 103 ON SECOND READING

Senator Williams asked unanimous consent to suspend the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules to take up for consideration at this time:

C.S.S.B. 103, Relating to the regulation of health spa services; providing penalties.

There was objection.

Senator Williams then moved to suspend the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules and take up **C.S.S.B. 103** for consideration at this time.

The motion was lost by the following vote: Yeas 23, Nays 7. (Not receiving four-fifths vote of the Members of the Senate.)

Yeas: Blake, Brooks, Caperton, Doggett, Edwards, Farabee, Glasgow, Henderson, Howard, Jones, Leedom, Mauzy, Montford, Parmer, Santiesteban, Sarpalius, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Brown, Harris, Kothmann, Lyon, McFarland, Parker, Sharp.

Absent-excused: Washington.

SENATE BILL 454 ON SECOND READING

On motion of Senator Sharp and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 454, Relating to compensation of the members of the governing body of the Fort Bend County Drainage District.

The bill was read second time and was passed to engrossment.

SENATE BILL 454 ON THIRD READING

Senator Sharp moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 454** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

SENATE BILL 374 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 374, Relating to the authority of certain counties and cities to jointly establish an auditorium.

The bill was read second time and was passed to engrossment.

SENATE BILL 374 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 374** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 185 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 185, Relating to the responsibility of a railway corporation for obstructing a street, railway crossing, or highway.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 185 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 185 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Traeger.

Absent-excused: Washington.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Traeger and Sharp asked to be recorded as voting "Nay" on the final passage of the bill.

COMMITTEE SUBSTITUTE SENATE BILL 258 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 258, Relating to the control of venereal disease; adding Article 4445d, Vernon's Texas Civil Statutes; repealing Articles 4441, 4441a, 4445, 4445a, and 4445c, Vernon's Texas Civil Statutes, and Sections 1.21-1.38, Family Code; providing penalties; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 258 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 258 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

COMMITTEE SUBSTITUTE SENATE BILL 256 ON SECOND READING

On motion of Senator Sarpalius and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 256, Relating to the probation of a child-care facility or child-placing agency license suspension and to revocation of the license.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 256 ON THIRD READING

Senator Sarpalius moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 256 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

SENATE BILL 453 ON SECOND READING

On motion of Senator McFarland and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 453, Relating to regulation of certain reinsurance by the State Board of Insurance.

The bill was read second time and was passed to engrossment.

SENATE BILL 453 ON THIRD READING

Senator McFarland moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 453** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

COMMITTEE SUBSTITUTE SENATE BILL 33 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 33, Relating to rights, powers, and duties of the Texas Rehabilitation Commission.

The bill was read second time.

Senator Glasgow offered the following amendment to the bill:

Amend **S.B. 33** by deleting Subsection (b), Section 111.059 in SECTION 4 and substituting in lieu thereof the following:

"(b) The commission's right of subrogation is limited to the cost of the services provided."

The amendment was read and was adopted.

Senator Glasgow offered the following amendment to the bill:

Amend **S.B. 33** Section 1, subdivision 111.002(5) by striking the words "may require the commission to" and insert instead the words "the commission may".

The amendment was read and was adopted.

On motion of Senator Glasgow and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 33 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed.

SENATE BILL 69 ON SECOND READING

On motion of Senator Leedom and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 69, Relating to the authority of the State Commission for the Blind to make or guarantee loans used to purchase technological aids necessary for the successful employment of visually handicapped persons.

The bill was read second time.

Senator Leedom offered the following committee amendment to the bill:

Amend SECTION 1, **S.B. 69** by deleting the figure 18 in line 15 and substituting the figure 14 therefor.

The committee amendment was read and was adopted.

On motion of Senator Leedom and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 69 ON THIRD READING

Senator Leedom moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 69** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

PRINTING RULE SUSPENDED

On motion of Senator Uribe and by unanimous consent, the printing rule, Senate Rule 74, was suspended as it relates to **H.B. 426**.

COMMITTEE SUBSTITUTE SENATE BILL 205 ON SECOND READING

Senator Uribe asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 205, Relating to the payment of property taxes. (Submitted by Governor as an emergency.)

HOUSE BILL 426 ON SECOND READING

The President laid before the Senate on its second reading and passage to engrossment **C.S.S.B. 205** and under the provisions of Senate Rule 67 the following was substituted:

H.B. 426, Relating to the payment of property taxes. (Submitted by Governor as an emergency.)

The bill was read second time and was passed to third reading.

HOUSE BILL 426 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 426** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

**COMMITTEE SUBSTITUTE SENATE BILL 205
LAID ON TABLE SUBJECT TO CALL**

On motion of Senator Uribe and by unanimous consent, **C.S.S.B. 205** was Laid on Table Subject to Call.

SENATE BILL 335 ON SECOND READING

On motion of Senator Parmer and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 335, Relating to criminal complaints for parking offenses; adding Subsection (d), Article 27.14, Code of Criminal Procedure, 1965, as amended.

The bill was read second time and was passed to engrossment.

SENATE BILL 335 ON THIRD READING

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 335** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 139 ON SECOND READING

Senator Blake asked unanimous consent to suspend the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules to take up for consideration at this time:

C.S.S.B. 139, Relating to special license plates for members of the Texas Army National Guard, Texas Air National Guard, and Texas State Guard.

There was objection.

Senator Blake then moved to suspend the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules and take up C.S.S.B. 139 for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Kothmann, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Howard, Jones, Leedom, Lyon, Mauzy.

Absent-excused: Washington.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Howard, Mauzy and Lyon asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 139 ON THIRD READING

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Kothmann, Leedom, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Howard, Jones, Lyon, Mauzy.

Absent-excused: Washington.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Kothmann, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Howard, Jones, Mauzy.

Absent-excused: Washington.

SENATE BILL 302 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 302, Relating to the disposition of persons determined to be incompetent to stand trial.

The bill was read second time and was passed to engrossment.

SENATE BILL 302 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 302 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Washington.

The bill was read third time and was passed.

WELCOME RESOLUTIONS

S.R. 225 - By Blake: Extending welcome to Commander and Mrs. A. Lee Jones.

S.R. 228 - By Sharp: Extending welcome to Cody Carruth, Honorary Page for the Day.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:21 o'clock p.m. adjourned today, in memory of Campbell Elkins of Lubbock, until 10:30 o'clock a.m. tomorrow.

APPENDIX

Signed by Governor
(February 25, 1983)

H.C.R. 41

**In Memory
of
John Null, Jr.**

Senator Truan offered the following resolution:

(Senate Resolution 226)

WHEREAS, The relatives and many friends of John Null, Jr., of Corpus Christi were deeply saddened by his death on March 1, 1983; and

WHEREAS, Born March 11, 1930, John Null entered the United States Air Force at age 17 to begin a 20-year career of distinguished service to his country in a variety of responsible assignments at bases across the nation; and

WHEREAS, When Mr. Null left the armed service in 1967 to enter civilian life, he elected to bring his family to Corpus Christi, and he was an asset to that community in many ways; he initially worked as a millwright, then as a rigman on shrimp boats, and remained connected with the shrimp industry thereafter; and

WHEREAS, After a year as owner and operator of the Rainbow Bait Stand, Mr. Null began, in 1972, an eight-year stint as a bay shrimper captain; in 1979, he took over the presidency of N & G Shrimp, Incorporated, directing all operations of that enterprise; and

WHEREAS, Mr. Null was active in a wide variety of organizations, holding memberships in such groups as the Political Involvement of Seafood Concerned Enterprises (PISCES), the National Audubon Society, the Veterans of Foreign Wars, and the Boy Scouts of America; in addition, he was active in Little League activities and was an adult member of the Camp Fire Girls; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 68th Legislature, commend the life of service that Mr. John Null, Jr., gave to his country and his community and extend deepest sympathy to his wife, Betty, and his son, Marvin, on their great loss; and, be it further

RESOLVED, That copies of this Resolution be prepared for his family, and that when the Texas Senate adjourns this day, it do so in memory of John Null, Jr.

The resolution was read.

On motion of Senator Vale and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Truan and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.